

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

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|--|---|------------------------|
| <i>In re:</i>                            | ) |                        |
|  | ) | Chapter 11             |
|  | ) | (Joint Administration) |
| CIRCUIT CITY STORES, INC., <i>et al.</i> | ) |                        |
|  | ) |                        |
| <i>Debtors.</i>                          | ) | Case No: 08-35653-KRH  |
|  | ) |                        |
|  | ) |                        |

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**NOTICE OF AND MOTION TO WITHDRAW AS COUNSEL**

Notice is hereby given that Neil E. McCullagh, Esquire and Spotts Fain PC, counsel for Raymond & Main Retail, LLC (“Raymond & Main”), have filed a motion to withdraw as counsel (the “Motion”).

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in the motion, you or your attorney must do the following:**

1. File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H), not later than **fourteen (14) days** after the date of service noted below. If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

William C. Redden, Clerk of Court  
United States Bankruptcy Court  
Eastern District of Virginia, Richmond Division  
701 E. Broad Street, Room 4000  
Richmond, Virginia 23219

You must also mail a copy to:

Neil E. McCullagh, Esquire  
Spotts Fain PC  
411 E. Franklin Street, Suite 600  
Richmond, Virginia 23219

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Robert H. Chappell III, Esquire (VSB #31698)  
Neil E. McCullagh, Esquire (VSB #39027)  
Jennifer J. West, Esquire (VSB #47522)  
SPOTTS FAIN PC  
411 East Franklin Street, Suite 600  
Richmond, Virginia 23219  
Phone: (804) 697-2000  
Fax: (804) 697-2100

2. No hearing on this Motion has been set at this time, but if a timely response is filed you will be advised of a hearing date.

Under Local Bankruptcy Rule 9013-1, unless a written response to the Motion are filed with the Clerk of Court and served on the moving party within fourteen (14) days of the service of the Motion, the Court may deem any opposition waived, treat the Motion as conceded, and issue an order granting the requested relief without further notice or hearing.

**MOTION TO WITHDRAWAL AS COUNSEL**

COMES NOW Neil E. McCullagh, Esquire and Spotts Fain PC (together, “Counsel”), as counsel for Raymond & Main, in the above-referenced Chapter 11 case, and move to withdraw as counsel pursuant to Local Rule 2090-1(G) for the following reasons:

1. On or about April 5, 2011, Counsel was retained to serve as local counsel to Raymond & Main to assist with resolving general unsecured, non-priority claims (the “Claims”) in the above-referenced Chapter 11 case. Raymond & Main’s lead counsel is Caroline R. Djang, Esquire of Rutan & Tucker, LLP (“Lead Counsel”).

2. Raymond & Main and the Circuit City Stores, Inc. Liquidating Trust have executed a Settlement Agreement and Mutual Release whereby the Claims were settled.

3. On or about April 8, 2015, Counsel confirmed with Lead Counsel that Counsel’s representation can be terminated due to the settlement of the Claims.

4. Upon information and belief, there are no matters pending in the above-referenced Chapter 11 case in which Raymond & Main requires representation of local counsel. If Raymond & Main requires representation outside of this Court, then Lead Counsel stands ready to provide it.

5. As indicated on the Certificate of Service, the undersigned counsel has served a copy of this Motion on Raymond & Main, through Lead Counsel. Accordingly, Neil E. McCullagh, Esquire and Spotts Fain PC respectfully request entry of an order in the form

attached hereto granting this Motion and providing full withdrawal of Neil E. McCullagh,  
Esquire and Spotts Fain PC from representation of Raymond & Main.

SPOTTS FAIN PC

By: /s/ Neil E. McCullagh  
Counsel

Robert H. Chappell III, Esquire (VSB #31698)  
Neil E. McCullagh, Esquire (VSB #39027)  
Jennifer J. West, Esquire (VSB #47522)  
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Fax: (804) 697-2100

**CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2015, a true and accurate copy of the foregoing Notice of and Motion with Withdraw as Counsel was served by first-class mail, postage prepaid, and/or by electronic means through the Court's ECF system on the following, constituting all necessary parties:

Andrew W. Caine, Esquire  
Victoria Newmark, Esquire  
Pachulski Stang Ziehl & Jones LLP  
10100 Santa Monica Boulevard, 13<sup>th</sup> Floor  
Los Angeles, CA 90067

Lynn L. Tavenner, Esquire  
Paula S. Beran, Esquire  
Tavenner & Beran, PLC  
20 North Eighth Street, 2<sup>nd</sup> Floor  
Richmond, VA 23219

Robert B. Van Arsdale  
Assistant United States Trustee  
Office of the U.S. Trustee  
701 E. Broad St., Suite 4304  
Richmond, VA 23219

Raymond & Main Retail, LLC  
c/o Caroline R. Djang, Esquire  
Rutan & Tucker, LLP  
611 Anton Boulevard, 14th Floor  
Costa Mesa, CA 92626

/s/ Neil E. McCullagh